## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA

| (1) VADNAIS TRENCHLESS<br>SERVICES, INC., | ) |                            |
|---|---|----------------------------|
| Plaintiff                                 | ) | Case No. 5:24-cv-00166-SLP |
|   | ) |                            |
| V.  | ) |                            |
|   | ) |                            |
| (1) OKLAHOMA CITY WATER                   | ) |                            |
| UTILITIES TRUST,                          | ) |                            |
| (2) TRIAD DESIGN GROUP, INC.,             | ) |                            |
| (3) AECOM, INC.                           | ) |                            |
| Defendants.                               | ) |                            |
|   |   |                            |

# STIPULATION AND NOTICE OF DISMISSAL WITHOUT PREJUDICE

Plaintiff, Vadnais Trenchless Services, Inc. ("VTS"), and defendants, Oklahoma City Water Utilities Trust ("OCWUT"), and Triad Design Group, Inc. ("Triad"), pursuant to Rule 41(a)(1)(A)(ii), FRCP, hereby stipulate to the dismissal of this action, including all claims and counterclaims, without prejudice to the refiling of same.

<sup>&</sup>lt;sup>1</sup> Defendant, AECOM, Inc. ("AECOM"), has been served but has not yet answered or otherwise responded, while counsel investigated which AECOM entity is/was the correct party defendant. Pursuant to Rule 41(a)(1)(A)(i), FRCP, this will serve as VTS's notice of dismissal without prejudice of its action against AECOM.

## Respectfully submitted,

#### s/Robert L. Magrini

Robert L. Magrini, OBA No. 12385 Tanner B. France, OBA No. 33171

HAYES MAGRINI & GATEWOOD

1220 North Walker Avenue

Oklahoma City, OK 73103

Telephone: (405) 235-9922 Facsimile: (405) 235-6611

E-mail: robert@hmglawyers.com

tfrance@hmglawyers.com

Attorneys for Plaintiff, Vadnais Trenchless Services, Inc.

#### s/ Fred A. Leibrock

(Signed by Robert L. Magrini with permission of Fred A. Leibrock)
Fred A. Leibrock, OBA No. 14146
Eric S. Eissenstat, OBA No. 10282
Amy D. White, OBA No. 19255
Hilda Loury, OBA No. 35667
Colby D. Karcher, OBA No. 35653
PHILLIPS MURRAH P.C.
101 N. Robinson, Suite 1300
Oklahoma City, Oklahoma 73102
faleibrock@phillipsmurrah.com
hloury@phillipsmurrah.com
eseissenstat@phillipsmurrah.com
adwhite@phillipsmurrah.com
cdkarcher@phillipsmurrah.com

Attorneys for Defendant, Oklahoma City Water Utilities Trust

# s/ Matthew J.G. McDevitt

Matthew J.G. McDevitt, OBA No. 20771 (Signed by Robert L. Magrini with permission of Matthew J.G. McDevitt)

PIERCE COUCH HENDRICKSON BAYSINGER & GREEN, LLP

1109 N. Francis Ave. Oklahoma City, Oklahoma 73106 mmcdevitt@piercecouch.com

Attorneys for Defendant, Triad Design Group, Inc.